

CHRISTOPHER CHIOU  
Acting United States Attorney  
Nevada Bar Number 14853  
SIMON F. KUNG  
Assistant United States Attorney  
501 Las Vegas Boulevard South, Suite 1100  
Las Vegas, Nevada 89101  
Tel: 702.388.6268  
Fax: 702.388.6418  
simon.kung@usdoj.gov  
*Attorneys for the United States*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

NICOLE MARIE SCUDERI,

Defendant.

Case No. 2:21-cr-00134-JAD-DJA

**Stipulation for Protective Order**

The parties, by and through the undersigned, respectfully request that the Court issue an order protecting from disclosure to the public, or any third party not directly related to this case, any documents, recordings, or other tangible things produced by the government during discovery that contain the confidential personal identifying information of individuals referenced in the discovery. The parties state as follows:

1. The discovery to be produced in connection with this case contains confidential personal identifying information, including names, addresses, debit/credit card and bank account numbers of third parties.

2. In order to protect the privacy of the individuals referenced in the discovery, the parties intend to restrict access to the following individuals: attorneys for all parties, and

1 any personnel that the attorneys for all parties consider necessary to assist in performing  
2 that attorney's duties in the prosecution or defense of this case, including investigators,  
3 paralegals, retained experts, support staff, interpreters, and any other individuals  
4 specifically authorized by the Court (collectively, the "Covered Individuals").

5 3. The Covered Individuals shall be advised of the Protective Order, and,  
6 without leave of Court, the Covered Individuals shall not:

- 7 a. make copies for, or allow copies of any kind to be made by any other  
8 person of the Protected Information in this case;
- 9 b. unless as otherwise provided in this agreement, allow any other  
10 person to read, listen, or otherwise review the Protected Information  
11 in this case;
- 12 c. use the Protected Information for any purpose other than preparing to  
13 defend against or prosecute the violations in the Petition, Addendum,  
14 and pre-indictment charges, or any further charges arising out of these  
15 cases; or
- 16 d. attach any Protected Information to any of the pleadings, briefs, or  
17 other court filings except to the extent those pleadings, briefs, or  
18 filings are filed under seal or properly compliant with LR IC 6-1.

19 4. Defendant shall only be permitted to review the Protected Information in the  
20 offices of her defense counsel. While reviewing the Protected Information, Defendant shall  
21 not have access to a cellular phone or any digital recording device. Defendant shall not  
22 include Protected Information in any written notes. Defense counsel shall inspect all  
23 written notes made by defendant to ensure compliance with the aforementioned provision.  
24

1           5.     Nothing in this stipulation is intended to restrict the parties' use or  
2 introduction of the Protected Information as evidence at trial or support in motion practice.

3           6.     The parties shall inform any person to whom disclosure may be made  
4 pursuant to this order of the existence and terms of this Court's order. The parties reserve  
5 the right to seek to modify the terms of this protective order at a later time pursuant to  
6 Federal Rule of Criminal Procedure 16(d)(1). Should a reasonable need for this protective  
7 order cease to exist, on grounds other than a Covered Individual or some other person  
8 violating or circumventing its terms, the Government will move expeditiously for its  
9 dissolution.

10          7.     In the event of an inadvertent disclosure of the Protected Information, the  
11 party making or learning of the inadvertent disclosure will immediately:

12           a.     Notify the person to whom the disclosure was made that it contains  
13 Protected Information subject to a Protective Order;

14           b.     Make all reasonable efforts to preclude dissemination or use of the  
15 Protected Information by the person to whom disclosure was  
16 inadvertently made;

17           c.     Notify the Government and other parties of the identity of the person  
18 to whom the disclosure was made, the circumstances surrounding the  
19 disclosure, and the steps taken to ensure against further  
20 dissemination or use of the information; and

21           d.     Notify the Court in writing under seal.

22          8.     The defense hereby stipulates to this protective order.  
23  
24

Respectfully submitted,

For the United States:

CHRISTOPHER CHIOU  
Acting United States Attorney

s/ Simon F. Kung  
Simon F. Kung  
Assistant United States Attorney

For the Defense:

s/ Joanne Diamond  
Joanne Diamond  
Assistant Federal Public Defender  
Attorney for Nicole Marie Scuderi

**IT IS SO ORDERED:**

  
\_\_\_\_\_  
HON. DANIEL J. ALBREGTS  
UNITED STATES MAGISTRATE JUDGE

August 16, 2021

\_\_\_\_\_  
Date